

REMARKS

The above amendments and following remarks are responsive to the Office Action of December 15, 2004. Reconsideration of the application and a notice of allowance are earnestly solicited.

Claims 1-17 are pending in the application and Applicant expresses appreciation to the Examiner for determining that claims 9-11 are allowable over the prior art as well as claims 12-17 as they depend from Claim 9. Applicant expresses further appreciation to the Examiner for determining that claims 5-6 and 8 contain allowable subject matter and would be allowed if rewritten to include the limitations from the base claim and any intermediate claim from which they depend.

Applicant has amended claims 5 and 8 to contain the limitations of Claim 1 so that claims 5-6 and 8 can be allowed. Applicant has amended claims 12, 14 and 17 to depend directly or indirectly from Claim 9 and removed the dependency thereof from Claim 1 so that claims 12-17 can be allowed.

Claims 2-4 and 7 are rejected under 35 U.S.C. §102 (b) as being anticipated by Holze, Jr. (U.S. Patent No. 4,363,992). Claims 12/1, 13/12, 14/1, 15/14/1 and 17/1 have been rejected under 35 U.S.C. §103 (a) as being unpatentable over Holze as modified by Snelling et al (U.S. Patent No. 5,390,013).

In response to the rejections, Applicant provides the following analysis and traverse.

Original Claim 7 claim recites that the height of the protrusions increases with distance from the central portion of the input end face. The specification further illustrates in Figure 1 and teaches on page 9, second paragraph, six mass portions separated by five slits with four protrusions extending therefrom. A stepped increase on the height of the protrusions at respective outward slits is also disclosed.

Holtz, on the other hand, illustrates in Figure 4 and discloses in column 4, line 27, et seq., three mass portions separated by a single a pair of slits and a single pad located on each side of the central portion on the input surface of respective outermost mass portions. Holtz fails to teach or disclose a structure having three or more slits and further fails to teach a plurality of stepped protrusions on either side of the center of the resonator that increase in height at respective slits.

Accordingly, Applicant has amended Claim 1 to include the limitations of claims 2 and 7 and recite that the resonator has at least three slits. As Holtz fails to teach more than one pair of slits, Holtz fails to anticipate amended Claim 1. *Verdegaal Bros. v. Union Oil Co. of California*, 814 F.2d 628, 631

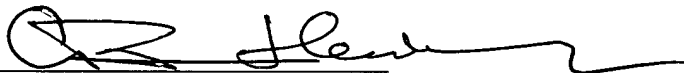
(Fed. Cir. 1987) ("a claim is anticipated only if each and every element as set forth in the claim" is found in the cited prior art reference).

Applicant provides herein new claims 18-22 that respectively contain the limitations of original claims 12-15 and 17 and depend directly or indirectly from amended Claim 1. As Claim 1 now distinguishes over the art, new claims 18-22 distinguish over the art therewith. *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 234 F.3d 558 (Fed. Cir. 2000) (a claim that depends from a prior claim incorporates all the limitations of that claim).

Two claims in excess of twenty are added. Accordingly, please charge the fee of \$100.00 to Deposit Account No. 10-1250.

In light of the foregoing, the application is now believed to be in proper form for allowance of all claims and notice to that effect is earnestly solicited. Please charge any deficiency or credit any overpayment to Deposit Account No. 10-1250.

Respectfully submitted,
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